

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... JUL 30 1976
 Returned to applicant for correction..... SEP 8 1976
 Corrected application filed..... NOV 5 1976
 Map filed..... NOV 5 1976

The applicant..... Milchem, Incorporated and Duane Porter
 % Chilton Engineering 421 Court, of Elko
 Street and No. or P.O. Box No. City or Town
 Nevada 89801
 State and Zip Code No., hereby make.... application for permission to appropriate the public
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-
 tion; if a copartnership or association, give names of members.) as co-owners Milchem
 Incorporated December 11, 1962, Delaware Duane Porter

1. The source of the proposed appropriation is Underground Well
Name of stream, lake or other source.
2. The amount of water applied for is 4.0 cfs second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet..... acre-feet
3. The water to be used for..... Mining & Milling & Domestic
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
 - (a) Irrigation (state number of acres to be irrigated).....
 - (b) Stockwater (state number and kinds of animals to be watered).....
 - (c) Other use (describe fully under "No. 12. Remarks").....
 - (d) Power:
 - (1) Horsepower developed.....
 - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, T.37N.,
R.41E., M.D.M., at a point from which the NE corner of said Section
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
12 bears N. 26° 45' E. 4775.4 feet
it should be stated.
6. Place of use S $\frac{1}{2}$ Section 12, T.37N., R.41E., M.D.M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about January 1 and end about December 31, of each year.
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well to provide
make up water to be circulated through mill to carry away tailings
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$5,000.00
10. Estimated time required to construct works.....3 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Please send copies of all notices and correspondence to Milchem, Inc.,
P. O. Box 272, Battle Mountain, Nevada 89820

Applicant Milchem, Incorporated and Duane Porter

By s/Mark Chilton
Mark Chilton Agent
421 Court
Elko, Nevada 89801

Compared ns/jw lk/dc

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second but not to exceed

235.9 million gallons annually.

Actual construction work shall begin on or before November 10, 1977

Proof of commencement of work shall be filed before December 10, 1977

Work must be prosecuted with reasonable diligence and be completed on or before November 10, 1978

Proof of completion of work shall be filed before December 10, 1978

Application of water to beneficial use shall be made on or before November 10, 1981

Proof of the application of water to beneficial use shall be filed on or before December 10, 1981

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed DEC 5 1978
Completion of work filed DEC 28 1979
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded Bk Page
County Recorder

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD,
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 10th day of May

A.D. 1977

State Engineer